761551N52A – SH-AD (11/90)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: March 15, 2016

FROM: KELLEY S. FRASER, COMMANDER
SOUTH PATROL DIVISION

TO: JOHN ROBERTS, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS

Case Number:	SH2365671
Incident:	Use of Force
Incident Date:	March 28, 2015
Unit:	Temple Station
Suspect:	Delatorre, Jonathan MH/09-21-91
Involved Employees:	Deputy Edgar Solano #[redacted]
EFRC Date:	March 10, 2016

The Executive Force Review Committee (EFRC) consisting of Commanders Kelley S. Fraser, Ralph Webb and Eddie Rivero met and reviewed the above case.

FINDINGS:

The EFRC determined the use of deadly force and tactics were within Department policy.

RECOMMENDATIONS:

The EFRC made no recommendations.

KSF:JRB:jrb

761551N52A – SH-AD (11/90)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: March 15, 2016

FROM: KELLEY S. FRASER, COMMANDER
SOUTH PATROL DIVISION

TO: MATTHEW BURSON, CAPTAIN
OPERATION SAFE STREETS
BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS

Case Number:	SH2365671
Incident:	Use of Force
Incident Date:	March 28, 2015
Unit:	Temple Station
Suspect:	Delatorre, Jonathan MH/09-21-91
Involved Employees:	Deputy Edgar Solano #[redacted]
EFRC Date:	March 10, 2016

The Executive Force Review Committee (EFRC) consisting of Commanders Kelley S. Fraser, Ralph Webb and Eddie Rivero met and reviewed the above case.

FINDINGS:

The EFRC determined the use of deadly force and tactics were within Department policy.

RECOMMENDATIONS:

The EFRC made no recommendations.

KSF:JRB:jrb

Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 02-5-16	Bureau/Station/Facility: Operation safe Streets Bureau	Admin. Invest.? ☐	Hit? ☒

Incident Information

URN: 014-12347-2847-032	Date: 09-17-14 Time: 2248
City or Station: Compton	Nature of Incident: Deputies saw suspects running and followed them. Suspect Delatorre turned and pointed a handgun at them. Deputy Ballesteros fired at the suspect, striking him. He was taken into custody without further incident.
Location: East/West Alley North of Compton Boulevard, East of Paulsen Avenue	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, **Street**, Other: ______

Lighting (*circle only one*): **Darkness**, Daylight, Other, Street Lights

Weather (*circle only one*): **Clear**, Cloudy, Fog, Rain

Distance: 10-15 feet

Incident Type (*circle one or more*): Accidental, **Armed Person**, **Fleeing Suspect**, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: ______

Initiated by (*circle only one*): Arrest Warrant, Call, **Observation**, One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **Routine Patrol**

Total # of Shots Fired by Deputy: 4

Total # of Shots Fired by Suspect: None

Aero Unit? ☐ Canine Unit? ☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Solano	Edgar		EM **PM** Day	**Regular** Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]		[redacted]
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	Fisher	Angel	K	**On Duty**, Present during shooting, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Bell	Terrence	

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Gellis	Brian	

PSTD Use Only

SH # ______

SH-R-438A rev. 3/07

See Reverse

Officer Involved Shooting

URN: 014-12347-2847-032

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
09-18-14	0145		

Employee #	Last Name	First Name	M.I
[redacted]	Weber	Todd	
[redacted]	Martinez	Richard	
[redacted]	Olivier	Julien	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious

(RM) Refused Med Treatment

(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	FH	SW	9			NN	
S#1	E#2	FH	SW	9			NN	
E#1	S#1	FH	SW	9	Y	Y	GS	AD

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 014-12347-2847-032

Involved Employee

E 1

Employee # [redacted]	Last Name: Ballesteros	First Name: Deanna	M.I.
Sex: F Race: H	Rank: B-1	Unit Assignment: Operation safe Streets Bureau	Work Assignment (Unit #, Module, etc.): G8
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☒
Hrs of sleep prior to shooting: 6-8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest; Plain Clothes w/ Vest; Raid Jacket no Vest; (Raid Jacket w/ Vest); Uniform no Vest; Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 510	Weight: 190		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: S&W M&P Caliber: 9 # Shots: 4		Weapons Fired Brand: Caliber: # Shots:	
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest; Plain Clothes w/ Vest; Raid Jacket no Vest; Raid Jacket w/ Vest; Uniform no Vest; Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand: Caliber: # Shots:		Weapons Fired Brand: Caliber: # Shots:	
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest; Plain Clothes w/ Vest; Raid Jacket no Vest; Raid Jacket w/ Vest; Uniform no Vest; Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand: Caliber: # Shots:		Weapons Fired Brand: Caliber: # Shots:	
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 014-12347-2847-032

Suspect Information

S 1

Last Name: Delatorre		First Name: Jonathan	M.I.
AKA Last Name		First Name	M.I.
Sex: M Race: H	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone:	Home Phone:	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 25 D.O.B. 09-21-91	Height: 507 Weight: 145	FBI # [redacted]	CII # [redacted]
Booking #	Primary Charge: 245(d)(2)PC	Secondary Charge: 211PC	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make		Model:	Year:

S __

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S __

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S __

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY

INVESTIGATIVE SUMMARY

DEPUTY INVOLVED SHOOTING: HIT

CASE NUMBER: SH2365671

FILE #: 014-12347-2814-032

DATE: September 17, 2014, Wednesday

TIME: 2248 hours

LOCATION: East/West Alley, North of Compton Boulevard, East of Paulsen Avenue, Compton 90220

OPENING STATEMENT:

On Wednesday, September 17, 2014, Internal Affairs Bureau investigators Sergeant Julien Olivier, Sergeant Richard Martinez, and Lieutenant Todd Weber responded to a Command Post at Alondra Boulevard / Wilmington Boulevard, Compton in regards to a deputy involved hit shooting

SYNOPSIS:

Deputies Deanna Ballesteros and Edgar Solano were driving east on Compton Boulevard at Wilmington Avenue. Deputy Solano was driving and Deputy Ballesteros was the passenger when they saw two masked men run north across Compton Boulevard to Paulsen Avenue. Believing the men just committed a robbery, the deputies drove to Paulsen Avenue and turned north to locate the suspects.

When the deputies reached the east/west alley of Paulsen Avenue, north of Compton Boulevard, they saw the suspect east of them in the mouth of the alley. Deputy Solano saw the suspect remove a handgun from a holster on his hip, and alerted Deputy Ballesteros that the suspect was armed. Both deputies exited their radio car, which was approximately ten feet away from the suspect. Deputy Ballesteros saw the suspect pointing the gun at her and what she believed to be muzzle flash from the gun.

Fearing for her safety, and the safety of her partner, Deputy Ballesteros fired four rounds from her duty weapon at the suspect. The suspect was struck by the gunfire and collapsed to the ground.

The second suspect ran away east through the alley, and then south through a vacant lot. He escaped the ensuing containment and K-9 search. The suspect was identified, and arrested, at a later date.

Suspect De La Torre sustained a gunshot wound to his abdomen. He was transported to Saint Francis Medical Center where he was listed in stable condition.

Subsequent investigation revealed the suspects committed an armed robbery at a nearby computer café, the "Computer Time Business Café."

The suspect's weapon, a Smith & Wesson 9mm semiautomatic pistol, loaded with one round in the chamber and nine rounds in the magazine, was recovered from the scene.

> **IAB NOTE:** Witnesses [redacted] and [redacted] said they heard two shots fired, Deputy Solano said he heard four shots fired and witnesses said they heard between two and four gunshots fired, refer to **Exhibit A** pages 28 and 29. There was also no physical evidence recovered at the scene to indicate Suspect Delatorre fired his weapon.

A fully loaded Rossi .38 caliber revolver, along with clothing items and a holster, were recovered from the vacant lot along the second suspect's escape route. Additionally, three expended 9mm shell casings, fired by Deputy Ballesteros, were recovered at the scene.

The incident was documented in Homicide Bureau's case book, **Exhibit A.**

INVOLVED PERSONNEL:

Ballesteros, Deanna, Deputy, #[redacted]

Assigned to Homeland Security Division, Operation Safe Streets Bureau

Date of Employment: November 8, 2001

Date Assigned to Unit: November 4, 2014

Prior Shooting Incidents: [redacted]

Prior Founded Force Incidents: [redacted]

SUSPECT:

Delatorre, Jonathan, MH/09-21-91

The Consolidated Criminal History System revealed [redacted]. A complete Criminal History is included with this case in Homicide Bureau's case book, pages 134 thru 142 of **Exhibit A**.

SWORN WITNESSES:

Solano, Edgar #[redacted], Deputy (Operation Safe Streets Bureau)

CIVILIAN WITNESSES:

[redacted]

[redacted]



INJURIES:

No deputies were injured.

Suspect Delatorre sustained one gunshot wound to his abdomen. He was transported to Saint Francis Medical Center where he was listed in stable/critical condition.

PHYSICAL EVIDENCE:

All physical evidence was collected and documented by Scientific Services Bureau personnel. For more information, see **Exhibit A**, pages 34 thru 43. Additionally, CD's containing crime scene photographs, and audio recordings are provided with this case; refer to **Exhibit A**.

INVESTIGATOR'S OBSERVATIONS:

At the time of the IAB investigator's arrival, the crime scene had been preserved. IAB investigators observed the scene six hours after the shooting.

IAB Lieutenant Weber checked to see that the Watch Commander, Lieutenant Brian Gellis took reasonable steps to ensure that the involved and witness personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, and that the involved and witness personnel did not collectively consult with their attorney or representative. In addition, IAB Lieutenant Weber checked to see if the watch commander attempted to have involved and witness personnel gather in the company of a supervisor until they provided a statement to the assigned investigators.

WEAPON USED BY DEPUTY:

Ballesteros, Deanna
Service Weapon Type: Smith & Wesson M&P 9mm, serial #HRL[redacted]
Rounds Fired: Four
Type of Ammunition Used: Department Issued 9mm Luger.
Date Employee Last Qualified: [redacted]
M&P Conversion Class: [redacted]

> **IAB Note:** An examination of Deputy Ballesteros' firearm, following the shooting, showed her weapon contained thirteen rounds in the magazine and one round in the chamber. Three 9MM casings were recovered at the scene. The firearm was tested by Sheriff's firearms examiners and found to be functional. See pages 124 and 125 in **Exhibit A.** Deputy Ballesteros told homicide investigators she carried her firearm with 17 rounds in the magazine and one round in the chamber. The firearm was tested by Sheriff's firearms examiners and found to be functional. See page 124 in **Exhibit A**.

WEAPON USED BY SUSPECT:

Semi-automatic pistol, Smith&Wesson 9mm, model SD9VE, serial #HFF[redacted], one live round in the chamber and one inserted magazine containing nine live rounds.

PROPERTY DAMAGE:

No property damage located.

CRIMINAL INVESTIGATOR:

The handling Homicide Investigators were Dave Gunner #[redacted] and Troy Ewing #[redacted].

Felony charges of Robbery, 211PC, Assault With A Semiautomatic Firearm Upon A Peace Officer or Firefighter, 245(d)(2)PC, Assault With a Deadly Weapon, 245(a)(1)PC, and Felony Vandalism, 594(a)PC were filed against Suspect Delatorre under case #TA135190. See **Exhibit A** pages 1 thru 8.

On November 4, 2015 Suspect Delatorre was sentenced to 15 Years in State Prison for the 211PC, 4 Years for the 245(a)(1)PC, 3 Years for the 594(a)PC and 5 Years for the 245(d)(2)PC.

DISTRICT ATTORNEY'S LETTER OF OPINION

The Justice System Integrity Division of the Los Angeles County District Attorney's Office reviewed the shooting of Johnathan Delatorre by Deputy Deanna Ballesteros. In their letter of opinion [**EXHIBIT A**], dated March 25, 2015, Deputy District Attorney Kimberly Toney concluded Deputy Ballesteros acted lawfully in self-defense and in the defense of others.

LIGHTING AND WEATHER CONDITIONS:

The shooting occurred during evening hours. The weather was clear and warm, and there were several streetlights illuminating the shooting scene.

INVOLVED EMPLOYEE STATEMENTS:

Homicide investigators interviewed the involved/witness personnel on the date of this incident. A summary of their interviews may be found on pages 58 thru 61 in **Exhibit A**. The verbatim transcripts of their interviews are enclosed in this case.

Deanna Ballesteros, Deputy, #[redacted], was interviewed on June 23, 2015, at 1258 hours, by Sergeants Richard Martinez and Dan Peacock, at the Internal Affairs Bureau. Deputy Ballesteros was represented by Amanda Waters of Green and Shinee. The interview was digitally recorded and transcribed. Following is a summary of the interview.

Deputy Ballesteros said she was in the passenger seat and Deputy Solano was driving their patrol car. They were driving eastbound on Compton Boulevard from Wilmington Avenue, when Deputy Solano asked her if she saw "that." She looked up and saw two people running across Compton Boulevard toward the north curb. She saw they were wearing all black. The two people continued running and turned onto Paulsen Avenue, as they (Deputies Ballesteros and Solano) attempted to catch up to them. She could see they were wearing ski masks, as they continued to run.

The two suspects turned into the east/west alley that runs east of Paulsen Avenue and north of Compton Boulevard, and continued running eastbound. One of the suspects was in front of the other, as they ran. Deputy Solano stopped the radio car in the mouth of the alley, and said, "Gun. Gun." Deputy Ballesteros saw Deputy Solano open his door and drop his body toward the ground. As she opened her door, she saw the suspect (later identified as Suspect Delatorre), who was closest to them, turn toward them. As the suspect turned, she saw he was pointing a gun at her. She said Suspect Delatorre was 10-15 fifteen feet away from her at this time, and as she pulled her gun out, she saw a flash of light coming from the suspect's gun.

Deputy Ballesteros said she fired 4-6 times at the suspect, as she stood in the apex of the patrol car's door. She said she did not have time to pick up her front sight, and shot one-handed. Deputy Ballesteros said she fired at Suspect Delatorre, because she thought he shot Deputy Solano and he was going to kill them.

Investigators asked Deputy Ballesteros why she only fired four to six times. She said Suspect Delatorre went down, and she stopped the threat. Deputy Ballesteros said she saw numerous items fall, including the gun, as Suspect Delatorre fell to the ground.

Deputy Ballesteros said she did not remember what the backdrop behind Suspect Delatorre was, at the time of the shooting.

> **IAB NOTE:** During her interview, Deputy Ballesteros was shown pictures of the shooting scene to aid her in pointing out the deputies/suspects positions during the incident. The pictures are included as **Exhibit B.**

<u>WITNESS STATEMENTS:</u>

<u>SWORN:</u>

Edgar Solano, Deputy, #[redacted], was interviewed on June 23, 2015, at 1215 hours, at Internal Affairs Bureau, by Sergeants Richard Martinez and Dan Peacock. Deputy Solano was represented by Amanda Waters of Green and Shinee. His interview was digitally recorded and transcribed. Following is a summary of his interview.

Deputy Solano said he and Deputy Ballesteros were driving eastbound on Compton Boulevard entering the intersection at Wilmington Avenue, when he saw two men, wearing all black, running across Compton Boulevard. He was wondering if a crime occurred as he accelerated the vehicle in order to catch up to them. The men ran northbound on Paulsen Avenue and he followed them. Due to the lighting provided by the streetlights, Deputy Solano was able to see the men were wearing ski masks, and he told Deputy Ballesteros the men were 211 suspects.

> **IAB NOTE:** 211 is in reference to 211 of the Penal Code, and is defined as a Robbery.

Deputy Solano was starting to turn his vehicle into the east/west alley when he saw one of the men (later identified as Suspect Delatorre) appear to be struggling to remove something from the right side of his waistband, as he (Suspect Delatorre) turned to face them. Suspect Delatorre finished his turn, and pointed a gun at them. Deputy Solano estimated the suspect to be 5-10 feet away from him at this time. Deputy Solano said, "Gun. Gun. Gun," as he exited the vehicle and ran toward the rear of the patrol car. As he did this, he heard several gunshots. He was low to the ground in an effort to make himself a smaller target.

Deputy Solano saw Suspect Delatorre fall to the ground, as he (Deputy Solano) stood at the trunk of his vehicle. He saw Deputy Ballesteros, who was continuously asking him if she was shot, and he also saw the second suspect running southbound through the alley/businesses toward Compton Boulevard. He then started broadcasting over the radio, about the shooting and second suspect. Assisting units arrived, and they took Suspect Delatorre into custody. The radio transmission is included on a CD in **Exhibit A**.

IAB Investigators asked Deputy Solano if his weapon was out, and if he considered firing at the suspect. Deputy Solano said his weapon was drawn, as he exited the vehicle; however, the immediate threat to him was gone. He also said Deputy Ballesteros was between him and Suspect Delatorre.

IAB NOTE: During his interview, Deputy Solano was shown pictures of the area of the shooting scene, to aid him in pointing out positions of the deputies/suspects during the incident. Those pictures are included as **Exhibit B**.

CIVILIAN:

The civilian witnesses were interviewed on the date of the incident by Homicide Investigators David Gunner #[redacted] and Troy Ewing #[redacted]. Also present during the interviews were Senior Investigator Mike Moursalian, Deputy District Attorney Kimberly Toney, of the Justice System Integrity Division, along with Sergeants Richard Martinez and Julien Olivier, of the Internal Affairs Bureau. For Homicide Bureau's summaries of the interviews, refer to **Exhibit A**, pages 56-58.

[redacted]

Witness [redacted] said she was in the alley smoking "Crack" when she saw a green vehicle stop in the alley. Two males exited the vehicle and made their way toward the liquor store on Compton Boulevard, as other people sat inside of the vehicle waiting. Approximately fifteen minutes later, she saw the same two males who exited the green vehicle, running in the alley holding something in their hands.

IAB NOTE: "Crack" is slang for rock cocaine.

Witness [redacted] went on to say, as the males were running in the alley, she saw "the woman" jump out of the police car and say, "Put your gun down. Hold. Stop." She then heard two shots and one of the males saying he was shot in the leg. Witness [redacted] said the green vehicle sped down the alley during the shooting.

[redacted]

Witness [redacted] said he heard a car and two gunshots. He went on to say he has cataracts and could not see. He was very uncooperative during the interview.

SUSPECT STATEMENT:

Suspect Delatorre was interviewed by Homicide Investigators David Gunner #[redacted] and Troy Ewing #[redacted]. For a summary of their interview, refer to **Exhibit A**, pages 63 and 64, and the verbatim transcript of that interview.

Suspect Delatorre said he and another male "did a robbery." He had his Smith & Wesson 9mm that he uses for security work, with him at the time. After they committed the robbery, they were running away when he heard a voice telling him to stop. He turned around after pulling his gun out of his holster. He said the gun was in his hands because he was going to put it on the floor.